

**Nicholas J. Henderson, OSB#074027**

[nhenderson@portlaw.com](mailto:nhenderson@portlaw.com)

Motschenbacher & Blattner, LLP

117 SW Taylor St., Suite 200

Portland, OR 97204

Telephone: (503) 417-0508

Facsimile: (503) 417-0528

UNITED STATES BANKRUPTCY COURT

DISTRICT OF OREGON

In re:

EVERGREEN VINTAGE AIRCRAFT, INC.

Debtor.

Case No. 14-36770-rld11

DEBTOR'S MOTION FOR LEAVE TO FILE  
EXHIBIT UNDER SEAL

Evergreen Vintage Aircraft, Inc. (the "Debtor"), as debtor in possession, pursuant to Federal Rule of Bankruptcy Procedure 9037(c), and LBR 9018-1, moves the court for leave to file an Exhibit to its 9019 Motion and Notice to Approve Settlement Agreement under seal. In support of this motion, the Debtor states and represents as follows:

1. The Debtor has filed a 9019 Motion and Notice to Approve Settlement Agreement [Docket No. 71] (the "Settlement Motion") in this matter.
2. One of the portions of the settlement agreement (outlined in Exhibit C to the Settlement Motion) includes the sale of property by a non-debtor party.
3. The portion of the settlement that includes the sale of property by a non-debtor party is confidential and should not be part of the public record of the *In re: Evergreen Vintage*

*Aircraft, Inc.* Bankruptcy filing. The non-debtor party has required a confidentiality agreement between all of the parties to the settlement agreement.

4. The parties that should be authorized to review, copy, photograph or inspect the document without prior written approval are Motschenbacher & Blattner, LLP, Skadden Arps Slate Meagher & Flom LLP, and parties to the confidential document and their respective legal counsel.

5. The document should be under seal for the duration of the bankruptcy case.

6. A proposed form of Order on this Motion is attached hereto as **Exhibit 1**.

WHEREFORE, the Debtor respectfully requests that the Court grants it leave to file an Exhibit to the Settlement Motion under seal pursuant to Federal Rule of Bankruptcy Procedure 9037(c).

Dated: April 24, 2015

/s/ Nicholas J. Henderson

Nicholas J. Henderson, OSB #074027

Of Attorneys for Debtors

**EXHIBIT 1**  
**PROPOSED ORDER**

**Motschenbacher & Blattner, LLP**  
117 SW Taylor Street, Suite 200  
Portland, OR 97204  
Phone: (503) 417-0500  
Fax: (503) 417-0501

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re:

EVERGREEN VINTAGE AIRCRAFT, INC.

Debtor.

Case No. 14-36770-rld11

ORDER RE: DEBTOR'S MOTION FOR  
LEAVE TO FILE EXHIBIT UNDER SEAL

THIS MATTER came before the Court on Debtor's Motion for Leave to File Exhibit Under Seal [Docket No. \_\_\_\_]; the Court having reviewed the motion, and being otherwise duly advised; now, therefore,

IT IS HEREBY ORDERED as follows:

- 1) The Debtor is allowed to file Exhibit C to its 9019 Motion and Notice to Approve Settlement Agreement under seal.
- 2) The parties that are authorized to review, copy, photograph or inspect the document without prior written approval are Motschenbacher & Blattner, LLP, Skadden Arps

Slate Meagher & Flom LLP, and parties to the confidential document and their respective legal counsel.

3) The document shall be held under seal for the duration of the bankruptcy case.

# # #

Order Presented by:  
MOTSCHENBACHER & BLATTNER, LLP  
/s/ Nicholas J. Henderson  
Nicholas J. Henderson, OSB #074027  
Telephone: 503-417-0500  
E-mail: nhenderson@portlaw.com  
Attorney for Debtor Evergreen Vintage Aircraft, Inc.

#### **PARTIES TO SERVE**

##### **ECF Electronic Service:**

The foregoing was served on all CM/ECF participants through the Court's Case Management/Electronic Case File system.

##### **Service via First-Class Mail:**

- None

### CERTIFICATE OF SERVICE

I, Nicholas J. Henderson, hereby certify that on April 24, 2015, I served, by first class mail, a full and true copy of the foregoing Motion on the following by causing a copy thereof to be placed in a sealed envelope, postage prepaid, addressed as shown below, in the U.S. Mail at Portland, Oregon:

**NONE**

Additionally, I certify that on April 24, 2015, a full and true copy of the foregoing Motion was serviced on the following recipients electronically via ECF:

- OREN B HAKER obhaker@stoel.com, docketclerk@stoel.com;cejordan@stoel.com;aepeterson-meier@stoel.com;jason.abrams@stoel.com
- NICHOLAS J HENDERSON nhenderson@portlaw.com, csturgeon@portlaw.com;tsexton@portlaw.com;atrauman@portlaw.com
- WENDELL G KUSNERUS wendellkusnerus@dwt.com, lizcarter@dwt.com;pdxdocket@dwt.com
- ERIC D. LANSVERK edl@hcmp.com
- JAMES P LAURICK jlaurick@kilmerlaw.com, tparcell@kilmerlaw.com
- JUSTIN D LEONARD jleonard@LLG-LLC.com, ecf@ml-llp.com;jleonard@pacernotice.com
- JEFFREY C MISLEY jeffm@sussmanshank.com, ecf.jeffrey.misley@sussmanshank.com
- TERESA H PEARSON teresa.pearson@millernash.com, lisa.conrad@millernash.com;brenda.hale@millernash.com
- ALEX I POUST apoust@schwabe.com, docket@schwabe.com;ecfpdx@schwabe.com
- AMIT D RANADE adr@hcmp.com, bankruptcy@hcmp.com;rar@hcmp.com;kcb@hcmp.com
- JOSEPH A SAKAY bankruptcy@hcmp.com, joe.sakay@hcmp.com;Kelly.brown@hcmp.com
- BRADFORD J SANDLER bsandler@pszjlaw.com
- US Trustee, Portland USTPRegion18.PL.ECF@usdoj.gov
- CAROLYN G WADE carolyn.g.wade@doj.state.or.us
- BRITTA E WARREN bew@bhlaw.com, hkt@bhlaw.com

Dated: April 24, 2015.

/s/ Nicholas J. Henderson  
Nicholas J. Henderson